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EPA, REGION VIII
SUPERFUND BRANCH

Office of the City Manager

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EPA, REGION VIII
HAZARDOUS WASTE
MANAGEMENT

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November 30, 1988

Mr. Robert L. Duprey
Director Hazardous Waste Management Division
United States Environmental Protection Agency
Region VIII
999 18th Street, Suite 500
Denver, Colorado 80202-2405

Dear Bob:

Thank you for your letter of November 10, 1988. My staff and I have reviewed the suggested changes carefully. The suggested technical changes to simplify definition of mine tailings is greatly appreciated and the proposed ordinance has been amended accordingly.

Likewise, the lead level of 200 ppm in the topsoil is acceptable. A review of topsoil used for the Prospector Special Improvement District revealed that none of the topsoil used exceeded 200 ppm.

The suggested change of analysis to a dry weight measurement is also acceptable and has been made.

The final suggested change from voluntary to mandatory enforcement raises some serious concerns. Park City always envisioned that the compliance would be voluntary on existing landscaped lots. I consider voluntary compliance to be desirable for a number of reasons. First, Park City does not have the manpower or funds to undertake a mandatory inspection and enforcement program. Second, and more importantly, I feel that a mandatory program would meet with strong resistance and foster resentment among the property owners in Prospector.

On the other hand, a voluntary program will meet the goals of the City and the EPA. Virtually all of the properties, with the exception of the Frandsen-Blonquist parcel which is being handled separately, either have existing landscaping or were covered with topsoil pursuant to the Prospector Special Improvement District. Compliance is probably quite high. If homeowners are concerned, the property will be inspected and required to meet the standards of the ordinance.

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I have enclosed a copy of the ordinance with all of your suggested changes, except for mandatory compliance. This ordinance will be presented to the City Council of Park City on December 1, 1988.

Thank you for your continued help. Please contact me with any questions you may have.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arlene Loble", written over the typed name.

Arlene Loble
City Manager

Enclosure